

PLANNING COMMISSION

ACTION MINUTES

WEDNESDAY, NOVEMBER 6, 2002

Chair Mathewson called the meeting to order at 7:01 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Mathewson, Gibson, Feierbach, Frautschi, Parsons

Absent, Commissioners: Torre (arrived 7:07), Wiecha (arrived 7:14)

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), City Attorney Savaree (CA), Recording Secretary Szabo RS)

Chair Mathewson welcomed back Commissioner Parsons and congratulated Commissioner Gibson on a well run campaign.

2. AGENDA STUDY SESSION: None

3. AGENDA AMENDMENTS: None

4. COMMUNITY FORUM (Public Comments): None

5. CONSENT CALENDAR:

5A. Resolution to Deny a Conditional Use Permit - 1144 Village Drive.

CDD Ewing noted that there was a minor revision to the resolution for item 5A. Based on the Zoning Ordinance, the following word change was made from: Basement Area to: Ground floor Area.

MOTION: By Commissioner Feierbach, second by Commissioner Frautschi to deny a Conditional Use Permit for an Amendment to a Planned Development at 1144 Village Drive.

Ayes: Feierbach, Frautschi, Gibson, Mathewson

Noes: None

Abstain: Parsons

Absent: Wiecha, Torre

Motion to Deny Passed 4/0

C. Gibson noted he had previously made a mistake by voting to approve the project and was now voting to deny.

5B. Minutes of 10/1/02

MOTION: By Commissioner Frautschi, second by Commissioner Feierbach to approve the Minutes of 10/1/02, as corrected.

Motion passed 4/0 (Parsons: abstain) (Wiecha,Torre: absent)

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2520 DE KOVEN AVENUE

To consider a Conditional Use Permit, Design Review, and Variance application to allow a Cingular Personal Communications Services wireless facility for the subject property. The project consists of location of panel antennas mounted on two poles attached to the Mid Peninsula Water District water tank, and a detached equipment shelter with a 13" omni directional roof mounted antenna. This project also includes co-location of this facility with two other wireless telecommunication facilities on the same site.

PP de Melo summarized the Staff Report noting the Applicant and Staff were available for questions.

PP de Melo replied to Commissioners Frautschi's question that the diameter of the antennas were 13 inches and could be found on A4 of the plans. Commissioner Frautschi asked if the commission could require vegetation screening of the sheds. PP de Melo stated the shed was very close to the property line and based on the site plan observation there is limited space to create screening.

C. Gibson inquired if all water tanks in residential areas were considered legal non-conforming uses?

CDD Ewing read from Section 911 of the Zoning Code. "This ordinance shall not limit or interfere with the temporary use of any property as a public voting place, or with the construction, installation, or operation of the following by any public agency or private corporation, when such construction is otherwise in conformity with all federal, state, county and city regulations. Public street and highway poles, towers, wires, cables, conduits, faults, laterals, pipes main valves or any similar distribution or transmission equipment for telephone or other communications electric, power, gas, water, and sewer lines, railroad right-of ways, and incidental appurtenances to any of the above". CDD Ewing stated that water tanks would fall within that exemption and the zoning ordinance would have no application to it.

Talin Aghazarian representative for Cingular Wireless/The Alaris Group stated that a neighborhood meeting was held on September 17, 2002. Notices were sent out within the 300 foot radius, no one attended. She agreed with the staff report and conditions and stated if additional landscaping was required they would comply.

MOTION: By Commissioner Wiecha, second by Commissioner Torre to close the Public

Hearing.

Motion Passed.

C. Parsons stated his concern regarding the placement of the shed between the two Monterey Pine trees. He felt the roots would be damaged by the concrete pad. C. Parsons stated he would not be able to support this project.

C. Feierbach agreed with C. Parsons.

C. Frautschi agreed with C. Parsons and commented that the shed could be placed elsewhere on the site. He recommended Oleanders or something similar that would not require water maintenance and would screen the additional building.

C. Torre inquired if the shed could be placed elsewhere on site? North? She agreed with C. Parsons and liked the idea of not harming the trees.

Talin Aghazarian, representative for Cingular Wireless/The Alaris Group stated that the site is very tight for them to locate equipment elsewhere. She mentioned they could put individual concrete pads underneath the equipment cabinets so there wouldn't be a full concrete pad which would reduce the amount of concrete.

She stated there is a radius requirement from the water tanks as well as a radius requirement for Sprint and Metro. Access for the water company was also required. This was the only ideal location.

Edward Burkes, representative of Cingular Wireless stated that moving the site North would degrade the signal and be difficult to access.

CDD Ewing stated there was no indication on the plans of the type of trees on the site and Monterey Pines are specifically not a protected tree. Since staff does not have that information tonight, continuation of this item may want to be considered.

MOTION: By Commissioner Parsons, seconded by Commissioner Torre, to continue the application for a Conditional Use Permit, Design Review, and Variance at 2520 De Koven Avenue to the following Planning Commission meeting of 11/19/02 to allow the arborist to advise the Commission of the tree species and the impact of this project on the trees.

Ayes: Parsons, Torre, Feierbach, Gibson

Noes: Frautschi, Wiecha, Mathewson

Absent: None

Motion to Continue to 11/19/02 Passed 4/3

6B. PUBLIC HEARING - ZONING CODE AMENDMENTS

To consider revisions to Section 4.7.11 of the City of Belmont Zoning Code including incorporation of a "sliding floor area scale" for substandard lots in the HRO-2 (Hillside Residential/Open Space) Zoning District that exceed 30% slope. Planning Commission recommendations will be forwarded to City Council for final action.

(Appl. No. 02-0003)

CEQA Status: Special Situations (Section 15183(g))

Applicant: City of Belmont

PP de Melo summarized the Staff Report and noted a correction on the second line of the staff report to read 4.7.11C. Staff was available for questions.

C. Torre asked if this revision applied to Western Hills. PP de Melo replied that this revision focuses on the HRO-2 zones. Western Hills Area Plan is Zoned HRO-3.

C. Parsons asked where in the zoning code the Commission has control over building on lots that are next to impossible to build on? PP de Melo replied in the General Plan and San Juan Hills Area Plan there is language that discusses construction on lots greater than 30% slope, there are controls in our policies for the City that regulated development, or at least provide the framework for the General Plan considerations. There are no specific zoning code restrictions on building on a lot greater than 30% slope.

Warren Gibson: 3114 East Laurel Creek president of the San Juan Canyon Preservation Trust, presented an overview of memo previously sent to the Commission. He stated he was in support of the plan. He went on to say that he was not in support of extending the floor area transfer program from individual roadways as it is now.

MOTION: By Commissioner Parsons, second by Commissioner Frautschi to close the public hearing. Motion passed.

VC Wiecha voiced her concern about adding a significant amount of complication to an already complicated ordinance.

MOTION: By Commissioner Torre, second by Commissioner Frautschi to move a resolution of the Planning Commission of the City of Belmont recommending to the City Council amendments to section 4.7.11 hillside residential and open space HRO districts of Belmont zoning ordinance number 360.

Ayes: Frautschi, Torre, Parsons, Wiecha, Mathewson

Noes: none

Recuse: Feierbach, Gibson

7. OLD BUSINESS

7A. Zoning Ordinance – Design Review/Study Session

CDD Ewing gave a presentation.

C Feierbach suggested that the City think about putting together a pamphlet showing building guidelines.

C Frautschi stated he wanted to broaden draft statement No. 5 to include further greening and landscaping enhancement because it was not specifically dealt with.

C Feierbach proposed the use of native or naturalized plants that blend naturally with the existing landscape be used. She stated further that she had concerns about the preservations of the City's neighborhoods in design review. C Torre added that she would like the purpose statement to include that houses and landscaping fit with the site of the neighborhood.

VC Wiecha suggested that caution should be exercised in general requirements regarding landscaping as this is an arid zone and water is a precious commodity and will continue to be such. She stated further that the Commission should carefully consider how they craft any goals to bring legal non-conforming projects to conforming status.

C Gibson made a comment regarding the concept of eclecticism in which he stated that perhaps the purpose statement should include the wording "preserve and enhance the eclectic character of the residential neighborhoods".

Chair Mathewson stated that the Commission might consider adding a purpose statement that dealt with the promotion of good architectural principal's such as quality materials.

CDD Ewing stated that the Commission had come up with 13 new issues for consideration as follows:

1. To promote further greening and enhance landscaping beyond what is present.
2. Use of natives appropriate to the setting.
3. Promoting conformity of existing non-conforming structures.
4. Regulations for solar access.
5. Regulation of exterior lighting.
6. Regulation of size of footprint.

7. Inaccessible design of garages.
8. Regulation of view corridors.
9. Regulation of privacy.
10. Regulation of Eclecticism.
11. Regulation of architectural principal's, quality of materials.
12. Preservation of streams.
13. Regulation of mansionization.

CDD Ewing stated further that he would develop these items further to tailor them to fit in a single family design review process.

8. REPORTS, STUDIES, UPDATES, AND COMMENTS

CDD Ewing stated that he was currently working on a City-wide budget reduction.

9. PLANNING COMMISSION LIASON TO CITY COUNCIL MEETING OF TUESDAY NOVEMBER 12, 2002.

Liaison: Commissioner Wiecha

Alternate Liaison: Commissioner Frautschi

10. ADJOURNMENT:

The meeting adjourned at 10:05 p.m. to Tuesday, November 19, 2002 at 7:00 p.m for a Regular Meeting at the Twin Pines Senior and Community Center